



ITER-India
(Institute For Plasma Research)


Tender Notice No.

I-ITN21003

Title	High Power RF Amplifier (Driver and Final Stage Amplifier) for ICRF Sources.
Sub Title	PART-A (i): Essential Eligibility Criteria (EEC), Instructions to Bidders, Tender Conditions and Bid Submission format

ITER-India, Institute for Plasma Research
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Ahmedabad 380005, Gujarat, India



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Sub Title	PART-A (i): Essential Eligibility Criteria, Instructions to Bidders, Tender conditions and Bid Submission format

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Abbreviations/Acronyms

D

DD · Demand Draft

E

EMD · *Earnest Money Deposit*

H

HDFC · Housing Development Finance Corporation

I

ICICI · Industrial Credit and Investment Corporation of India

IDBI · Industrial Development Bank of India

ICRF · Ion Cyclotron Resonance Frequency

IST · Indian Standard Time

P

PLR · Prime Lending Rate

R


RTGS · Real Time Gross Settlement

S

SBI · State Bank of India

SD · *Security Deposit*

SPOC · *Single Point of Contact*

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Note: The PASSWORD protected Technical part of Tender Document i.e. Part-A (ii) and Price bids i.e. Part-B1, B2 and B3 will be uploaded on ITER-India website after completing evaluation of Essential Eligibility Criteria (EEC) by Purchaser. The PASSWORD will be issued only to the bidders who comply with the Essential Eligibility Criteria (EEC) of the tender (GeM Report ID: GEM/GARPTS/06122021/N6VMLV8N8TDF).

1 Essential Eligibility Criteria

ITER-India, IPR needs to procure: Driver stage amplifier & Final stage amplifiers. These amplifiers are required for 09 nos. of 2.5 MW ICRH RF sources to be delivered to ITER Organization, France

Bids meeting the Essential Eligibility Criteria (EEC) shall only be considered as “Eligible Bids” and will be issued password for Technical part A(ii) and Price bids (Part-B1, B2 and B3) of Tender Documents. Bidder as mentioned in the EEC Table 1 means single company/industry/Firm. Bidder must submit two sets of self-attested copies of documents in support of eligibility criteria. However, meeting the essential eligibility criteria in itself does not automatically qualify through the technical bid evaluation process.

Table 1: Essential Eligibility Criteria

Sr. No.	Essential Eligibility Criteria	Evidence/Documents to be submitted by the bidder	Compliance? Yes/No
1.	The bidder shall have their own QMS (Quality Management system)/ISO 9001-2015 certification	QMS or valid ISO certificate	
2.	Bidder shall be a manufacturer, system integrator and shall have successfully executed at least one purchase order for ≥ 1.5 MW capability of RF source using cascaded stage of driver and final stage amplifiers, supplied by the bidder	1.Signed Contract/Purchase Order in last 12 years from the tender date 2.Acceptance Note / Successful Contract completion certificate from the purchaser	
3.	Financial average turnover in last 3 completed financial years shall not be less than US \$ 40 million (or equivalent amount in Euro or in INR). Exchange rate provided by FBIL (Financial Benchmarks India Pvt. Ltd www.fbil.org.in) as on date of tender shall be considered).	Audited financial statements of last 3 completed financial years	
4.	Bidder must have successfully supplied a cascaded system consisting of driver amplifier using Tetrode (≥ 125 kW) and final stage amplifier using Diacode	Acceptance test report of previous order (s) with system performance demonstrated at least two	



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	(≥ 1.5 MW) for duration ≥ 2000 s in the frequency range of 35-65 MHz on matched load as well as on mismatched loads (VSWR $\geq 1.5:1$) with bandwidth of ± 1 MHz within 1 dB flatness on Matched load	operating frequencies. The test report must be within last 7 years from the tender date	
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1.1 Any bidder from a country that shares a land border with India¹, excluding countries as listed on the website of the Ministry of External Affairs², to which the Government of India has extended lines of credit or in which the Government of India is engaged in development projects (hereinafter called 'Restricted Countries') shall be eligible to bid in this tender only if Bidder is registered³ with the Registration Committee constituted by the Department for Promotion of Industry and Internal Trade (DPIIT). **Bidders shall enclose the certificate in this regard as per 4.8 - Annexure A8.**

1.2 In Bids for Turnkey contracts, including Works contracts, the successful bidder shall not be allowed to sub-contract works to any contractor from such Restricted Countries unless such contractor is similarly registered. In such cases, the **bidders shall enclose the certificate as per 4.8 - Annexure A8.**

1.3 If Bidder has proposed to sub-contract Services or incidental Goods directly/ indirectly from the vendors from such countries, such vendor shall be required to be registered with the Competent Authority. However, if Bidder procures raw material, components, and sub-assemblies from such countries' vendors, such vendors shall not require registration.

1.4 "Bidder from such Restricted Countries" means: -

- a) An entity incorporated, established, or registered in such a country; or
- b) A subsidiary of an entity incorporated, established, or registered in such a country; or
- c) An entity substantially controlled through entities incorporated, established, or registered in such a country; or
- d) An entity whose beneficial owner is situated in such a country; or
- e) An Indian (or other) agent of such an entity; or
- f) A natural person who is a citizen of such a country; or
- g) A consortium/ joint venture where any member falls under any of the above

- Class-I Local Suppliers, Class-II Local Suppliers and Non-Local Suppliers are eligible to bid for this Global Tender. Refer Government notification no. P-4501/2/2017-PP (BEII) dated 16.09.2020 issued by Ministry of Commerce & industry in this regard. Provisions as per this

¹<https://mea.gov.in/india-and-neighbours.htm>

²<http://meadashboard.gov.in/indicators/92>

³<https://dipp.gov.in/sites/default/files/Revised-Application-Format-for-Registration-of-Bidders-15Oct2020.pdf>



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notification, as amended from time to time, shall apply for this tender including purchase preference.

- Class-I Local Suppliers and Class-II Local Suppliers will submit duly signed self declaration on their letter head as per Annexure-A9 along with the offer failing which bid may not be considered for further evaluation.

Note: Bidders are advised to send all EEC evidence/documents as per Table-1 along with Annexure-A3, Annexure A8 and Annexure A9 (if applicable) duly signed & stamped in original hard copy through courier/speed post/post latest by 19th January 2022 as per section 3.1.1.

2 Instructions to Bidders and Tender conditions

Sealed tenders are invited from reputed and eligible parties against the Tender Notice No. **I-ITN21003 dated 06.12.2021** for **“High Power RF Amplifier (Driver and Final Stage Amplifier) for ICRF Sources”**

Table 2: Instructions to Bidders

Instructions

2.1 Single Point of Contact for the Tender

a.

All communications related to this tender must be sent to the following Single Point of Contact (SPOC).

Sr. Officer (P&S)
ITER-India, Institute for Plasma Research
Block A, Sangath Skyz, Bhat-Motera Road, Koteswar,
Ahmedabad 380005, Gujarat, India

E-mail: purchase@iter-india.org
Phone: +91-79-23 26 96 56 / 95 29

2.2 Tender Process Road Map

The Tender Process Road Map for this tender from “Tender Notification” to “Award of Contract” is shown in below. Refer to the appropriate sections for more details.

S/N	Tender Milestone / Activity	Schedule ⁴
2.2.1	Tender Notification (6 th December 2021)	T0

⁴ In case of any change in dates, revised dates will be notified through e-mail to those bidders who have already registered for the Pre-bid meeting.



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2.2.2	Submission of evidence/documents as per EEC (section-1) along with Declaration as per Annexure-A8 and Annexure-A9 (if applicable) and opening on same date (at 14.30 hours)	Latest by 19 th January 2022 Time – 13:00 hours (IST)
2.2.3	EEC evaluation and clarifications (if required) by ITER-India.	_____
2.2.4	Issuance of Password to the eligible bidders meeting all EEC to access/open Technical part and price bids of tender (Part-A(ii) and Part-B1, B2 and B3)	T1 (Approx. T0 + 3 months)
2.2.5	Submission of Pre-Bid queries in the prescribed format	T1+21 days
2.2.6	Pre-bid meeting	T1+30 days
2.2.7	Submission of additional Pre-Bid queries (if any) post pre-bid meeting	T1+37 days
2.2.8	Bid Submission due date & Time	1st June 2022 by 13:00 hours (IST)
2.2.9	Opening of Technical Bids (Part-A)	1st June 2022 by 14:30 hours (IST)
2.2.10	Detailed Technical & Commercial Evaluation of bids and Clarifications as required	---
2.2.11	Meeting with bidders for technical & commercial evaluation of bids, if required	To be informed
2.2.12	Shortlisting of technically qualified bids for Price Bid Opening	
2.2.13	Price Bid Opening of technically qualified bids	To be informed
2.2.14	Price Bid Evaluation & Clarifications	
2.2.15	Techno Commercial Discussions including negotiations with bidder (s) as necessary	To be informed
2.2.16	Finalization of Successful Bidder & Approval by Competent Authority	
2.2.17	Finalization of Contract document	
2.2.18	Contract Sign off	

2.3 Tender Notification

a.	This is a TWO PART GLOBAL TENDER . Bidders shall submit bids in Two Part
b.	PART–A: Technical & Commercial Bids without price [Part-A(i), Part-A(ii) & Part-A (iii)]
c.	PART–B1, B2 & B3: Price Bid

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2.4 Tender Documents / Tender Specifications & Requirements

The scope of supply, technical requirements, contract terms and bidding procedures are prescribed in the tender documents. The tender documents include the following sections. Each section is provided in a separate document with appropriate title.

- | | |
|----|---|
| a. | Part-A (i): EEC, Instructions to bidders, Tender conditions and Bid Submission format |
| b. | Part-A (ii): Scope of Supply, work and Technical Specifications |
| c. | Part-A (iii): Terms and Conditions of the Contract |
| d. | PART-B1, B2 & B3: Price Bid instructions and the price bid template |

2.5 Procedure for obtaining Tender Documents

- | | |
|----|---|
| a. | Tender Documents are available on ITER-India web site https://www.iter-india.org/tenders under “Opportunities for Industry/ITER India Tenders” menu select Public/Global Tender option for download except Part-A(ii) and Price bids (Part-B1, B2 and B3). |
| b. | Bidders need to submit evidence/documents as per Section 1 EEC along with a Self-Declaration as per Annexure-A3/section:4.3 and Declaration as per Annexure-A8/section:4.8 and Annexure-A9/section:4.9) to the Purchase Officer, ITER-India on or before 19th January 2022 by 1:00 p.m. (IST) at the address mentioned in clause No. 2.10.2(c). |
| c. | <p>Tender document i.e. Part-A (ii) along with its Annexures and Price bids (Part-B1, B2 and B3) are protected with the PASSWORD. The PASSWORD to open/access the tender documents will be issued only to the bidders fulfilling the Essential Eligibility Criteria as specified in Section-1.</p> <p>Note: The password protected tender document i.e. Part-A (ii) and Price bids (Part-B1, B2 and B3). will be uploaded on website after completing the evaluation of EEC by Purchaser.</p> |
| d. | Alternatively, tender documents in hardcopy form can also be obtained directly (in person/by post) from the Purchase Officer, ITER-India by submitting the Self Declaration along with Annexure A3, A8, and A9 only by the eligible bidders. The hard copy of Tender documents in this mode shall be issued up to 15 th May 2022. |
| e. | Merely submission of evidence/documents as per section 1 EEC by the bidders does not mean that a Bidder is automatically qualified to receive the PASSWORD to access/open Part-A(ii) and Price bids (Part-B1, B2 and B3) of the tender documents. ITER-India’s decision to consider as to whether a bidder has met with all the eligibility criteria or not is final. |

2.6 Pre-bid queries and clarifications

- | | |
|----|---|
| a. | All meetings including pre-bid with Bidders will be organized at ITER-India (Institute for Plasma Research), Block-A, Sangath Skyz, Bhat – Motera Road, Koteswar, Ahmedabad – |
|----|---|



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380005, Gujarat, India or remotely via MS Teams. Link for joining the meeting will be sent to the bidders well in advance.

The eligible bidders can furnish in writing their pre-bid queries (both technical and commercial) within 21 days from date of receipt of password for Part-A(ii) and Price bids (Part-B1, B2 and B3). If the queries submitted by the bidders are in parts, then latest query should have all previous queries separated and marked properly, so that earlier information is available in consolidated form at a single point. The bidders are required to raise the queries if any, strictly as per the enclosed format (Annexure-A1) and send them to the Sr. Officer (P&S), ITER-India via email and hard copy to be sent through courier/post. However, bidder can furnish in writing pre-bid queries after the meeting as per format in Annexure-A1 within 7 days from date of pre-bid meeting.

b. Pre-Integrity Pact format is given in Annexure-A7. This Pre-Integrity Pact needs to be signed by the Bidder on or before the date of Pre-Bid meeting.

c. Queries/clarification/information sought in any other manner shall not be responded

d. Pre-bid clarifications, if any, will be issued to bidders through e-mail

e. In case a bidder makes any alternative suggestions with respect to the tender requirements, the same will be discussed and noted for further evaluation by ITER-India. However ITER-India reserves the right to accept or reject such suggestions at its discretion.

f. Any modification(s) to the tender documents, which may become necessary as a result of the pre-bid meeting or other, shall also be communicated to bidders through e-mail. Such modifications shall form integral part of the tender.
All the technical parameters/specifications of the items as defined in Annexure H of Part A(ii) of the tender and any change thereof during pre-bid meeting shall form an integral part of the Contract and shall be binding on the Contractor during execution of the Contract.


2.7 Amendments to tender documents

a. The Purchaser reserves the right to issue any amendments, clarifications, etc. to the tender documents, giving reasonable time, and prior to the bid submission. Such amendments, clarifications etc., to be taken into account by the bidders while submitting the bids and invariably enclose such documents as a part of the bid. All such amendments, clarifications, etc., shall be notified through e-mail. The Purchaser will bear no responsibility or liability arising out of non-receipt of the same in time or otherwise.

2.8 Tender Fee & EMD

a. **Tender Fee: No Tender Fee is applicable for downloading the tender document.**

b. **Earnest Money Deposit (EMD)/Bid Security: EMD is not required to be submitted with the bid. However, in lieu of EMD, bidders need to submit Self-Declaration for EMD/Bid Security as per the format given in Annexure-A6.**

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2.9 Preparation of Bids & Bid Content

2.9.1 General

a.	Before preparing the bids, the Bidders shall read all the tender documents carefully. Bidder submitting the bid against this tender shall be deemed to have read and understood the tender in totality.
b.	Detailed instructions and format for preparing the bid and its content is provided in this part of the Tender document. Different templates and formats have been provided to assist the bidders.
c.	The bids shall be prepared in duplicate. Each shall be clearly marked as “Original” or “Duplicate”. In the event of any discrepancy between them, the original shall prevail.
d.	The bid documents shall be prepared in English language only.
e.	All pages of the bid documents shall be numbered. Each page of the bid document shall be stamped and initialized.
f.	If the name of selected bidder is required to be changed for any legal reason, prior to entering into purchase order/ contract, ITER-India may permit the same subject to the condition that the bid remains the same in every respect except for the change of the name and relevant documents in this regard along with the undertaking (Format will be provided by the Purchaser, if such need arises) are submitted to ITER-India by the bidder.

2.9.2 Technical Bid Preparation

a.	Bidders should furnish all necessary details against Tender specifications provided in the Tender documents. A general outline of the required bid submission content is provided in this part of the tender document.
b.	Additionally, a soft copy of the <u>PART-A bid submission content should</u> be prepared in the form of <u>USB Flash Drive</u> for submission. <u>PART-B1, B2 & B3 (Price Bid) content shall be strictly avoided in this soft copy submission of the bids.</u>

2.9.3 Price Bids Preparation

a.	Refer to Price bid document (PART-B1, B2 & B3) for specific instructions and bid format on Price Bid preparation
b.	Bid should be free from Corrections and Erasures. Corrections, if any, must be attested. All total amounts shall be indicated both in words as well as in figures. Where there is difference between amounts quoted in words and figures, amount quoted in words shall prevail.
c.	Refer to Part-A (iii) for Terms and Conditions of the Contract including the payment terms



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2.10 Bid Submission


2.10.1 Bid Submission instructions

- a. Bidder shall submit initially the documents in respect to EEC as per Section-1 of this document.
- b. **Pre-Integrity Pact (refer Annexure-A7):** The bidders, who commit themselves to the Integrity Pact with the Purchaser, will only be considered competent to participate in the bidding process. The format for signing Pre-Integrity Pact is given in Annexure-A-7. **This Pre-Integrity Pact needs to be signed by the Bidder on or before the date of Pre-Bid meeting.**
- c. Refer to Section-3 of this document, for more details on bid submission envelopes, their format and their content
- d. All bids in response to this tender shall be submitted in TWO PART (Part-A & PART-B1, B2 & B3) in separate envelopes, duly sealed and superscripted with **Tender Notice Number, Due Date and Time** as per the details provided in Section-3 of this document. An additional Main envelope covering Part-A & PART-B1, B2 & B3 envelopes may be used to submit the bids as described at Section-3 of this document.
- e. All technical specifications and technical details along with commercial terms and conditions (**without price**) shall be included only in Part-A of the bid. A letter as per Annexure-A2 shall be submitted by the bidder as a token of acceptance of Part-A of Tender.


PART-B1, B2 & B3 (Price bid) comprising of price details shall be submitted in a separate envelope **only in Hard copy.**
- f. The bidder shall take special care in order not to mix-up price details with the Part-A (Technical and Commercial bid without price) and vice versa. Any violation of these conditions may lead to rejection of the bid.
The Main envelope containing Part-A & PART-B1, B2 & B3 bids shall also contain the Bid security declaration (refer to section-3 for details)
- g. The bidders are advised to use high quality plastic envelopes/covers to protect the bids from any damage in transit.
- h. If the envelopes are not sealed and marked as indicated in the tender, then the purchaser will assume no responsibility of pre-mature opening of the bid leading to the consequences such as rejection of bid, etc.

2.10.2 Mode & Address of Bid Submission

- a. Sealed bid documents can be sent by **Speed Post/Registered Post/Courier** at the address given below so as to reach by the stipulated due date and time.

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	No responsibility will be taken by ITER-India for postal delay or non-delivery/non-receipt of Bid documents.
b.	Sealed bid documents can also be submitted <u>in person at ITER-India main gate</u> on or before the stipulated due date and time at the following address
c.	<p>Address for Bid Submission :</p> <p>Sr. Officer (P&S) ITER-India, Institute for Plasma Research Block A, Sangath Skyz, Bhat-Motera Road, Koteswar, Ahmedabad 380005, Gujarat, India</p> <p>Phone: +91-79-23 26 96 56 / 95 29</p>
2.10.3 Due date for bid submission	
a.	The documents for compliance to EEC should be submitted to the Sr. Officer (P&S), ITER-India latest by 13:00 hrs. (IST) on 19 th January 2022
b.	The completed bid documents in the prescribed format should be submitted to the Sr. Officer (P&S), ITER-India latest by 13:00 hrs. (IST) on 1st June 2022.
c.	Bidders are requested to prepare and submit their bids well in advance to the due date with due consideration of lead times required for an assured delivery by postal services to avoid unfortunate delays.
d.	ITER-India will not be responsible for any delay or loss of bid documents in transit.
2.10.4 Rejection of Late/Delayed Bids	
a.	Bids received after the due date and specified time will be declared as “DELAYED” . Bids received after the opening of bids will be declared as “LATE” . LATE and DELAYED bids WILL NOT be considered and therefore, it is in the interest of the bidders to ensure that the tenders reach ITER-India main gate on or before the stipulated due date and time.
2.10.5 Validity of Bids	
a.	The bids should be valid at least for 240 days from the due date of bid submission. In case of unforeseen delays in concluding the tender evaluation, ITER-India may request the bidders for a suitable extension of validity of their bids without any change in quoted price and terms & conditions.

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2.10.6 Bid opening of Part-A

a.	Bids will be opened in three stages (Stage-1: Part-A(i), Stage-2: Part-A(ii) & Part-A(iii) and Stage-3: Part-B) at ITER-India office as indicated in this tender document
b.	Unless otherwise advanced or postponed with advance intimation to the bidders, Part-A(i) Essential Eligibility Criteria will be opened on 19 th January 2022 at 14:30 hrs. (IST) in the presence of attending bidders.
c.	At second stage Part-A(ii) & Part-A(iii) Technical and Commercial bid without price will be opened in the presence of attending bidders or their authorized representatives.
d.	Unless otherwise advanced or postponed with advance intimation to the bidders, Part –A(ii) and Part-A(iii) will be opened on the same date, that is on the bid submission due date 1st June 2022) at 14:30 hrs. (IST) in the presence of attending Bidders.
e.	Bidders who wish to participate in the opening of Part-A may depute their representatives (at their own cost) to ITER-India office on the specified date and time.
f.	Bidders or their authorized representatives, who wish to attend the tender opening, should produce an authorization letter, failing which he/she may not be allowed to participate in the tender opening.


2.11 Evaluation Committee (s)

a.	ITER-India's evaluation committee(s) duly constituted by the competent authority of ITER-India will evaluate the techno-commercial bids. The committee(s) may seek clarifications, hold techno-commercial discussions and finally make appropriate recommendations to the competent authority of ITER-India as per the mandate of the committee(s). However the Purchase officer, ITER-India shall remain the single point of contact between ITER-India and the bidders.
----	---

2.12 Evaluation and clarifications of Part-A bids

2.12.1 Detailed Evaluation & Clarifications

a.	At first the submitted EEC documents (Part-A(i)) will be evaluated against the specified Essential Eligibility Criteria (Refer Section-1 for the essential eligibility criteria details).
b.	The bids that are meeting all the Essential Eligibility Criteria stipulated in section 1 of the Part-A (i) of the tender shall only be shortlisted as " <u>Eligible Bids</u> ".

	PART-A (i): EEC, Instructions to Bidders, Tender conditions and Bid Submission format for High Power RF Amplifier (Driver and Final Stage Amplifier) for ICRF Sources.	Tender No.
		I-ITN21003


c.	PASSWORD for access/opening of Part-A(ii) and Price bids (Part-B1, B2 and B3) of tender documents will be issued to the eligible bidders meeting all the EEC.
d.	After receiving techno-commercial bids (Part-A(ii), Part-A(iii) and Price bids (PART-B1, B2 & B3 of bid)) from eligible bidders, the bids will be taken up for a detailed techno commercial evaluation.
e.	The Purchaser reserves the right to invite the bidder for technical and financial demonstration during the process of evaluation. The bidders who fail to provide demonstration with supporting documents as called for by the Purchaser or who failed to provide or prove adequate technical and financial strength of their firms during such demonstration will be liable for rejection.
f.	If it becomes necessary to seek clarifications from the bidders regarding technical and commercial terms and conditions of the tender, the same will be sought from the bidders. In such an event, the bidder will furnish all the technical and commercial information/clarification to the Sr. Officer (P&S), ITER-India, on or before the date and time fixed for submission of such clarifications, by ITER-India. If the technical and commercial clarifications sought for, do not reach on or before the due date and time fixed, such bids are liable to be rejected without any further notice. Purchaser shall not bear the responsibility of delay in receipt of required clarification(s).
g.	In the event of differences in commercial terms and conditions quoted by various bidders, ITER-India may resort to commercial discussions to bring all the bidders to common level of commercial terms and conditions.
h.	ITER-India and their authorized representatives may visit the Contractor/Sub-contractors if required as part of technical evaluation process.
i.	In case bidder makes any alternative suggestions with respect to the tender requirements, the same will be discussed and noted for further evaluation by ITER-India. However ITER-India reserves the right to accept or reject such suggestions at its discretion.
j.	The bidder and the Purchaser shall bear its own cost i.e. travelling, lodging, boarding and other allied expenses towards the visit to other party for in-person meeting necessary during tendering/tender evaluation process.

2.12.2 Techno Commercial Deviations

a.	Where counter terms and conditions have been offered by the bidder, the same shall not be deemed to have been accepted by ITER- India, unless specific written acceptance thereof is obtained from ITER-India.
b.	All technical and commercial aspects pertaining to Part-A (Technical and Commercial bid without price) of the tender will be finalized prior to opening of PART-B1, B2 & B3 (Price bid) and no change in this regard shall be accepted after opening of Part-B (Price bid).

2.12.3 Technically Qualified Bids

a.	Bids that are found to be compliant with the Essential Eligibility Criteria, technical specifications, scope of supply, scope of work and commercial terms & conditions specified in Part-A of the tender documents, shall be considered as <u>Technically Qualified Bids</u> .
----	--

	PART-A (i): EEC, Instructions to Bidders, Tender conditions and Bid Submission format for High Power RF Amplifier (Driver and Final Stage Amplifier) for ICRF Sources.	Tender No.
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b.	Price bids (PART-B1, B2 & B3 of bid) of only Technically Qualified Bids will be opened
2.12.4 Unqualified Bids	
a.	Bids that are found to be non-compliant of tender specifications, scope of supply, scope of work and commercial terms & conditions as specified in Part-A documents will be considered as unqualified bids
b.	Only qualified bidders shall be informed or intimated of Price Bid opening
2.12.5 Bid opening of PART-B1, B2 & B3	
a.	Price bids (PART-B1, B2 & B3 of bid) of only technically qualified bidders shall be opened
b.	Date and time for opening of the PART-B1, B2 & B3 will be decided by ITER-India and the same shall be intimated in advance only to the technically qualified bidders.
c.	PART-B1, B2 & B3 (Price bid) will be opened in the presence of the attending technically qualified bidders or their authorized representatives.
d.	Bidders who wish to participate in the opening of PART-B1, B2 & B3 may depute their representatives (at their own cost) to ITER-India on the specified date and time. Those who are attending the tender opening should produce an authorization letter, failing which he/she may not be allowed to participate in the tender opening
2.12.6 Evaluation and clarifications of PART-B1, B2 & B3 bids	
a.	The opened price bids will be evaluated and further clarifications if any may be sought from the respective bidders
b.	The evaluation criteria and the basis for the price comparison are specified in PART-B1, B2 & B3 document.
c.	Conditional discount, if any offered by the bidder shall not be considered and may lead to the rejection of the bid.
d.	The evaluation committee may hold discussions/negotiation as per the approved procedure.
e.	The technical details and terms and conditions agreed by the bidder in the Part-A bid and during Part-A evaluation shall prevail in case of any deviation(s) observed in PART-B1, B2 & B3.
f.	Price bid filled by the bidder shall only contain all the required rates, amount and particulars as per the price bid format (PART-B1, B2 & B3).



PART-A (i): EEC, Instructions to Bidders, Tender conditions and Bid Submission format for High Power RF Amplifier (Driver and Final Stage Amplifier) for ICRF Sources.

Tender No.

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2.13 Recommendation of Successful Bid

- a. The evaluation committee will recommend the successful bid to a competent authority of ITER-India for awarding the contract

2.14 Acceptance/Rejection of Bids

- a. Upon Acceptance of successful bid, ITER-India may sign a Contract with the successful Bidder within the validity/extended validity of the bid.
- b. Unsuccessful bidders will not be informed of the result of their bids.
- c. Non-compliance to tender specifications and/or tender scope and/or tender terms and conditions are liable for rejection. Decision of ITER-India in respect of non-compliance shall be final and binding on the bidders.
- d. Canvassing in any form with regard to this tender will lead to rejection of the bid.
- e. ITER-India reserves the right to accept or reject, lowest / any / all bid(s), in whole or in part, without assigning any reasons whatsoever and without any liability to ITER-India.
- f. There will not be splitting of the contract

2.15 Construction of contract

It is the intent of ITER-India to incorporate the Scope of supply and work, Technical Specifications, Terms & Conditions of Contract and price bid in the final contract between ITER-India and the successful bidder. This final contract shall include deviations, if any, as mutually agreed between ITER-India and the successful bidder.

2.16 Cancellation of Tender

During the tendering process, there may be some unforeseen situations compelling the Purchaser to cancel the Tender without finalization. In such a case, the Purchaser will send a notice/intimation for cancellation of the Tender by email. Purchaser will not be responsible for any consequences due to such cancellation. Bids (in “As Is” condition) will be returned to the bidders without any interest.

3 Bid Submission Content, Format & Instructions



PART-A (i): EEC, Instructions to Bidders, Tender conditions and Bid Submission format for High Power RF Amplifier (Driver and Final Stage Amplifier) for ICRF Sources.

Tender No.

I-ITN21003

3.1 Bid Submission Envelopes & Contents

3.1.1 Envelope-1: Part-A(i) Essential Eligibility Criteria

Envelope-1: Part-A(i)

Tender Notice No: **I-ITN21003**

Due Date for EEC Submission: **19th January 2022 & Time: 13:00 hrs. (IST)**

Title: **“High Power RF Amplifier (Driver and Final Stage Amplifier) for ICRF Sources”**
To


The Purchase Officer
ITER-India, Institute for Plasma Research
Block A, Sangath Skyz, Bhat-Motera Road, Koteswar,
Ahmedabad 380005,
Gujarat, INDIA

From: XXXXX

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3.1.1.1 Envelope-1 Contents

Table 2: List of contents for Envelope-1 (Essential Eligibility Criteria)

S/N	Content to be included	Detail	Reference
1	Covering Letter 	Self-Declaration for issue of PASSWORD	Annexure-A3/ section 4.3
2	Documents	Evidence/Documents in compliance of EEC including Annexure-A8 and Annexure-A9 (if applicable)	Section: 1 Table-1 and Annexure-A8/section 4.8 Annexure-A9/section 4.9

3.1.2 Envelope-2: Main Envelope containing all parts (Part-A(ii), Part-A(iii) & PART-B1, B2 & B3)

Envelope-2: Part-A(ii), Part-A(iii) & PART-B1, B2 & B3

Tender Notice No: **I-ITN21003**


Due On- **Date: 1st June 2022 & Time: 13:00 hrs. (IST)**

Title: **“High Power RF Amplifier (Driver and Final Stage Amplifier) for ICRF Sources”**
To

Sr. Officer (P&S)
ITER-India, Institute for Plasma Research
Block A, Sangath Skyz, Bhat-Motera Road, Koteswar,
Ahmedabad 380005,
Gujarat, INDIA




From: XXXXX

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	PART-A (i): EEC, Instructions to Bidders, Tender conditions and Bid Submission format for High Power RF Amplifier (Driver and Final Stage Amplifier) for ICRF Sources.	Tender No.
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3.1.2.1 Envelope-2 Contents

Table 4: List of contents for Envelope-2 (Main Envelope containing all parts, Part-A and PART-B1, B2 & B3)

S/N	Content to be included	Detail
1	Covering Letter 	Optional
2	Sealed Envelope-2.1 	Sealed Envelope Containing PART-A (ii) and Part-A (iii): Proof of compliance to Technical & Commercial Bid without Price along with Bid Security Declaration as per Annexure-A6
3	Sealed Envelope-2.2 	Sealed Envelope Containing PART-B1, B2 & B3 i.e. all Price Bids

3.1.3 Sealed Envelope-2.1: Part-A (Technical & Commercial Bid without Price)

ENVELOPE-2.1: PART-A (TECHNICAL & COMMERCIAL BID WITHOUT PRICE)

Tender Notice No: **I-ITN21003** Due On- **Date: 1st June 2022 & Time: 13:00 hrs. (IST)**

Title: **“High Power RF Amplifier (Driver and Final Stage Amplifier) for ICRF Sources”**

To

Sr. Officer (P&S)
ITER-India, Institute for Plasma Research
 Block A, Sangath Skyz, Bhat-Motera Road, Koteswar,
 Ahmedabad 380005,
 Gujarat, INDIA

From: XXXXX

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3.1.3.1 Content of Envelope-2: Part-A (Technical & Commercial Bid without Price)



The following table provides the guideline for preparing and arranging the Part-A bid documents.

Notes:

1. All the documents shall be properly filed and arranged into sections.
2. A clear separator for each section shall be provided for quick browsing of the documents.
3. Pages shall be numbered, initialled and stamped.



	PART-A (i): EEC, Instructions to Bidders, Tender conditions and Bid Submission format for High Power RF Amplifier (Driver and Final Stage Amplifier) for ICRF Sources.	Tender No.
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Table 5: List of contents for Envelope-2.1 (Part-A: Technical & commercial bid without price)

Checked box <input checked="" type="checkbox"/> : Yes; Un checked box <input type="checkbox"/> : No			
Part-A bids in duplicate along with a soft copy (Flash drive /DVD/CD) shall be prepared and submitted			<input type="checkbox"/>
Sr. No.	Content	Detail	
1	Flash drive / Hard Disk 	<ul style="list-style-type: none"> ➤ Soft Copy of the Part-A bid <u>without Price</u> ➤ A label containing the bidder name and Tender No shall be indicated for identification 	<input type="checkbox"/>
2	Covering Letter & Bidder Information	<ul style="list-style-type: none"> ➤ Covering Letter ➤ General information about the bidder as per the template (Annexure-A4) provided in this document 	<input type="checkbox"/>
3	Bid Security details	<ul style="list-style-type: none"> ➤ Bid security declaration may be kept in Envelope-2 (refer Annexure-A6 of this document for template) 	<input type="checkbox"/>
4	Compliance against the Main Deliverables & Work scope as per Part-A(ii)	<ul style="list-style-type: none"> ➤ Provide Compliance against the Specified Deliverables & work scope as per Part-A(ii) ➤ Indicate deviations, if any. ➤ Signed copy of Part-A(iii) of the tender ➤ Is there are any specific item(s) that is beyond your scope of supply or any scope of work as per tender which is not included in your bid ➤ Signed & stamped Annexure -A2 <p>Submit the above signed & stamped</p>	<input type="checkbox"/>
5	Proposed Schedule etc.	<p><u>Schedule :</u></p> <ul style="list-style-type: none"> ➤ A preliminary schedule plan complying with the specified delivery duration with reference to the date of signature of contract shall be submitted. ➤ Details of the major activity shall be included 	<input type="checkbox"/>
6	Compliance against Terms & Conditions of the Contract	<ul style="list-style-type: none"> ➤ Compliance against the Payment terms ➤ Compliance against mode of payment ➤ Compliance against submission of all BGs 	<input type="checkbox"/>



PART-A (i): EEC, Instructions to Bidders, Tender conditions and Bid Submission format for High Power RF Amplifier (Driver and Final Stage Amplifier) for ICRF Sources.

Tender No.

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		<ul style="list-style-type: none">➤ Compliance against others terms and conditions as specified in Part-A (iii) of the tender document➤ Part-A(iii) of the tender➤ Signed & stamped Annexure -A2 <p>Submit the above signed & stamped</p>	
7	Unpriced Bid	<ul style="list-style-type: none">➤ Signed and stamped Unpriced bid format as per Annexure-A5	<input type="checkbox"/>
8	Registration proof	<ul style="list-style-type: none">➤ GST registration certificate(s) and PAN card – This should be valid till the contract is fully executed i.e. In case of expiry of any of the certificates, the contractor shall submit the valid certificate(s) well in time.	<input type="checkbox"/>
9	Check List	<ul style="list-style-type: none">➤ Verify & check the last column of this table and a copy of the same shall be submitted as marked checklist	<input type="checkbox"/>



PART-A (i): EEC, Instructions to Bidders, Tender conditions and Bid Submission format for High Power RF Amplifier (Driver and Final Stage Amplifier) for ICRF Sources.

Tender No.

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3.1.3.2 *Sealed Envelope-2.2: PART-B1, B2 & B3 (Price Bid)*

ENVELOPE-2.2: PART-B1, B2 & B3 (ALL PRICE BIDS; IN DUPLICATE)

Tender Notice No: **I-ITN21003**

Due On- **Date: 1st June 2022 & Time: 13:00 hrs. (IST)**

Title: **“High Power RF Amplifier (Driver and Final Stage Amplifier) for ICRF Sources”**

To

Sr. Officer (P&S)

ITER-India, Institute for Plasma Research

Block A, Sangath Skyz, Bhat-Motera Road, Koteswar,

Ahmedabad 380005,

Gujarat, INDIA

From: XXXXX

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3.1.3.3 *Content of Envelope-2.2: PART-B1, B2 & B3 (Price Bid)*

Table 6: List of contents for Envelope-2.2 (PART-B1, B2 & B3: Price Bid)

PART-B1, B2 & B3 bids in duplicate shall be prepared and submitted			<input checked="" type="checkbox"/>
<ul style="list-style-type: none">All pages shall be signed by authorized signatory, numbered and stamped			
S/N	Content to be included	Detail	
1	Covering Letter	Optional	<input type="checkbox"/>
2	Price Bids	Submit price bids in prescribed format. Refer to PART-B1, B2 & B3 document for details.	<input type="checkbox"/>



PART-A (i): EEC, Instructions to Bidders, Tender conditions and Bid Submission format for High Power RF Amplifier (Driver and Final Stage Amplifier) for ICRF Sources.

Tender No.

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4 Annexures

4.1 Annexure-A1: Format for submission of Pre-bid queries/Clarifications

Notes:

- (i) The bidders are required to note that as per tendering conditions, no revision in price is permitted after submission of Part-A and PART-B1, B2 & B3 bids, unless ITER-India authorizes changes on the technical specifications. Hence it is imperative that the total scope of the tender and its technical requirements are fully understood by the bidder before submitting the bids. With a view to get complete clarity on the bid document, the bidders are advised to study the tender specifications thoroughly and seek clarifications / confirmations, wherever needed, from ITER-India during the pre-bid stage.
- (ii) The bidders are also advised to bring to the notice of ITER-India, through this format, any technical deviations/exceptions, that he proposes to take and/or any suggested changes on the tender specifications he proposes to make with a view to ensure/ improve the overall system performance. Any omission / contradiction on the tender specifications/Price format etc. observed by the bidder also may be brought to the notice of ITER-India in this format.
- (iii) The bidders shall, however, note that no deviations/exceptions to the tender specifications are generally acceptable. In case, such deviations/ exceptions/changes are necessary on the specifications for the overall performance of the system/equipment/components, tenderer may seek deviations/exceptions/changes, however, limiting these to the bare minimum.
- (iv) No exception/deviation/change to the tender specifications shall be recognized, unless the same is accepted in writing by ITER-India. Only such changes which are accepted by ITER-India shall form part of the original tender.
- (v) The bidder shall submit queries in below specified format in hard copy (e-mail of scanned copy is also acceptable) as well as in soft copy in editable form.

Tender No: I-ITN21003 dated 6th December 2021

FORMAT FOR RAISING PRE-BID QUERIES/CLARIFICATIONS BY THE BIDDER

Table 7: Format for submission of Pre-bid queries/Clarifications

1.Name of the Bidder	2.Query No.	3. Ref. Tender Part / Section No.	4. Ref. Clause No.	5.Description of the query	6.Response of ITER-India

Please add rows to the table above as required

1-5: To be filled by the Bidder

Authorized signatory of Bidder

Bidder's stamp



PART-A (i): EEC, Instructions to Bidders, Tender conditions and Bid Submission format for High Power RF Amplifier (Driver and Final Stage Amplifier) for ICRF Sources.

Tender No.

I-ITN21003

4.2 Annexure-A2: Letter for Acceptance of Part-A of Tender

(This form should be duly filled- in, signed, stamped and sent by the bidder along with Part-A of the Bid)

From:

Name and address of Applicant Bidder
Name of Contact Person
Contact Number (Tel. no., mobile no., Fax no., E-mail)

Date:

To:

Sr. Officer (Purchase & Stores)
ITER-India, Institute for Plasma Research,
Block A, Sangath Skyz, Bhat-Motera Road, Koteswar,
Ahmedabad 380005,
Gujarat, INDIA Tel: + 91-79-2326 9656
Email: purchase@iter-india.org

Subject: Acceptance of Part-A of the Tender

Dear Sir/Madam,

This is with reference to your tender No.: **I-ITN21003 dated 6th December 2021**. We have gone through all the Technical Specifications, scope of work, scope of supply and other details (Part-A (ii)) and Terms and Conditions (Part-A (iii)) of the tender. In this regard, we would like to confirm the **following (Please V against applicable point)**.

- ☐ We accept all the scope of supply, work and technical specifications and other details as per Part-A (ii) and Terms and Conditions as per Part-A (iii) of the tender.
- ☐ We accept all the scope of supply, work and technical specifications and other details as per Part-A (ii) and Terms and Conditions as per Part-A (iii) of the tender, **except following deviations**.

List of deviations as mentioned below:

Signature

Bidder's stamp


Name:

Position:

Address:

Tel:

Fax:

	PART-A (i): EEC, Instructions to Bidders, Tender conditions and Bid Submission format for High Power RF Amplifier (Driver and Final Stage Amplifier) for ICRF Sources.	Tender No.
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4.3 Annexure-A3: Self-Declaration for issue of PASSWORD

(This letter shall be duly filled- in, signed, stamped and sent by the bidder scan copy via email (purchase@iter-india.org) followed by original hard copy through courier).

From:

Name and address of Applicant Bidder
Name of Contact Person
Contact Number (Tel. no., mobile no., Fax no., E-mail)

Date:

To:

The Purchase Officer
ITER-India, Institute for Plasma Research,
Block A, Sangath Skyz, Bhat-Motera Road, Koteswar,
Ahmedabad 380005,
Gujarat, INDIA Tel: + 91-79-2326 9656
Email: purchase@iter-india.org

Subject: Request for PASSWORD to access/open the tender documents

Dear Sir/Madam,

This is with reference to your Tender No.: **I-ITN21003 dated 6th December 2021**. We have gone through all the Essential Eligibility Criteria (EEC) specified in section 1 of Part-A (i) of the tender. We herewith submit all the evidences/documents in hard copies & soft copy as asked for in section 1 for compliance of EEC and are interested to participate in the tendering process. You are requested to provide us the PASSWORD to access/open the tender documents (**Part-A(ii) and Price bids**) after due verification/evaluation of the documents submitted by us.

We hereby also submit our undertaking that, if we are provided with the PASSWORD by ITER-India (IPR), we shall neither share / reveal the PASSWORD nor share the downloaded tender document including Part-A(ii) and Price bids to any industry, company or bidder.

Signature

Bidder's stamp


Name:

Position:

Address:

Tel:

Fax:


	PART-A (i): EEC, Instructions to Bidders, Tender conditions and Bid Submission format for High Power RF Amplifier (Driver and Final Stage Amplifier) for ICRF Sources.	Tender No.
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4.4 Annexure-A4: General Particulars of the Bidder

Sr. No.	Particulars	
1.	Name of the Bidder	
2.	Bidder's Proposal No. and Date	
3.	Name and designation of the officer of the Bidder to whom all references shall be made for expeditious co-ordination.	
4.	Postal Address, Telephone & Fax Nos. and e-mail Address of Registered Office	
5.	Address, Telephone Nos., Fax Nos. and e-mail ID of Office through which the proposed work (if entrusted) will be handled with name & designation of person-in-charge	
6.	Core Competence of business	
7.	Details of GST registration (Applicable for Indian bidder)	
8.	Areas of other business activity, if any & place of such business	
9.	Any additional information which the tenderer considers relevant for evaluation of this tender	
10.	Bank details of the Bidder	

Authorized signatory of Bidder

Bidder's stamp

	PART-A (i): EEC, Instructions to Bidders, Tender conditions and Bid Submission format for High Power RF Amplifier (Driver and Final Stage Amplifier) for ICRF Sources.	Tender No.
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4.5 Annexure-A5: Unpriced Bid Templates

Unpriced Bid Format

Note: The PASSWORD protected Price bids i.e. Part-B1, B2 and B3 (including unpriced bid format) will be uploaded on ITER-India website after completing evaluation of Essential Eligibility Criteria (EEC) by Purchaser. The PASSWORD will be issued only to the bidders who shall comply with the Essential Eligibility Criteria (EEC) of the tender.

CONFIDENTIAL



PART-A (i): EEC, Instructions to Bidders, Tender conditions and Bid Submission format for High Power RF Amplifier (Driver and Final Stage Amplifier) for ICRF Sources.


Tender No.

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4.6 Annexure-A6: Self-Declaration for Bid Security (on Bidder's letter-head)

M/s _____ (herein called "the Bidder") declare that the bidder will not withdraw or modify the bid ref. ----- dated -----submitted against tender no. ----- dated ----- . If the bidder withdraws or modifies referred Bid during the validity period or extended validity period, or if the bidder is awarded the Contract and fails to sign the Contract, or to submit security deposit before the deadline defined in the tender document, the bidder unconditionally accepts suspension of their company to submit Bid(s) for period of two years from the date of referred tender document for future requirements.

Bidder Signature		
Name of the signatory& Title	Name	Title
Bidder's Official seal		
Place & Date	Place	DD-MM-YYYY

	PART-A (i): EEC, Instructions to Bidders, Tender conditions and Bid Submission format for High Power RF Amplifier (Driver and Final Stage Amplifier) for ICRF Sources.	Tender No.
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4.7 Annexure-A7 - Pre-Integrity Pact

1. General

This Pre-Bid Pre-Contract Agreement (hereinafter called the Integrity Pact) is made on ____ day of the month of _____, between one hand, ITER-India (IPR), represented by -----(herein after called the “PURCHASER”, which expression shall mean and include unless the context otherwise requires, his successors in office and assigns) of the first part M/s _____, represented by _____ (herein after called the “BIDDER/SELLER”, which expression shall mean and include unless the context otherwise requires, his successors in office and assigns) of the second part.

Whereas the PURCHASER proposes to procure (Description of Tendered Material/Service) and the Bidder/Seller is willing to offer/has offered the Material/Service proposes to procure, and

2. Whereas the Bidder is a private company/public company/partnership/ valid Consortium, constituted in accordance with the relevant law in the matter and the PURCHASER is a ITER-India (IPR) performing its functions under the Administrative Control of Dept of Atomic Energy .

3. Objectives

- 3.1 Now, therefore, the PURCHASER and the Bidder agree to enter into this pre-contract agreement, hereinafter referred to as Integrity Pact, to avoid all forms of corruption by following a system that is fair, transparent and free from any influence / unprejudiced dealings prior to, during and subsequent to the currency of the contract to be entered into with a view to:-
- 3.2 Enabling the PURCHASER to obtain the desired Material/Services at a competitive price in conformity with the defined specifications by avoiding the high cost and the distortionary impact of corruption on public procurement, and
- 3.3 Enabling bidders to abstain from bribing or any corrupt practice in order to secure the contract by providing assurance to them that their competitors will also refrain from bribing and other corrupt practices and the PURCHASER will commit to prevent corruption, in any form, by their officials by following transparent procedures.

4. Commitments of the PURCHASER

The PURCHASER Commits itself to the following:-



PART-A (i): EEC, Instructions to Bidders, Tender conditions and Bid Submission format for High Power RF Amplifier (Driver and Final Stage Amplifier) for ICRF Sources.

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- 4.1 The PURCHASER undertakes that no official of the PURCHASER, connected directly or indirectly with the contract, will demand, take a promise for or accept, directly or through intermediaries, any bribe, consideration, gift, reward, favour or any material or immaterial benefit or any other advantage from the Bidder, either for themselves or for any person, organization or third party related to the contract in exchange for an advantage in the bidding process, bid evaluation, contracting or implementation process related to the Contract.
- 4.2 The PURCHASER will, during the pre-contract stage, treat all Bidders alike, and will provide to all Bidders the same information and will not provide any such information to any particular Bidder which could afford an advantage to that particular Bidder in comparison to other Bidders.
- 4.3 All the officials of the PURCHASER will report to the Project Director, ITER-India/Director, IPR any attempted or completed breaches of the above commitments as well as any substantial suspicion of such a breach.
5. In case of any such preceding misconduct on the part of such official(s) is reported by the Bidder to the PURCHASER with full and verifiable facts and the same is prima facie found to be correct by the PURCHASER, necessary disciplinary proceedings, or any other action as deemed fit, including criminal proceedings may be initiated by the PURCHASER and such a person shall be debarred from further dealings related to the contract process. In such a case while an enquiry is being conducted by the PURCHASER the proceedings under the contract would not be stalled.

6. Commitments of Bidders

- 6.1 The Bidder commits himself to take all measures necessary to prevent corrupt practices, unfair means and illegal activities during any stage of his bid or during any pre-contract or post-contract stage in order to secure the contract or in furtherance to secure it and in particular commits himself to the following:-
- 6.2 The Bidder will not offer, directly or through intermediaries, any bribe, gift, consideration, reward, favour, any material or immaterial benefit or other advantage, commission, fees, brokerage or inducement to any official of the PURCHASER, connected directly or indirectly with the bidding process, or to any person, organization or third party related to the contract in exchange for any advantage in the bidding, evaluation, contracting and implementation of the Contract.
- 6.3 The Bidder further undertakes that he has not given, offered or promised to give, directly or indirectly any bribe, gift, consideration, reward, favour, any material or immaterial benefit or other advantage, commission, fees, brokerage or inducement to any official of the PURCHASER



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or otherwise in procuring the Contract or forbearing to do or having done any act in relation to the obtaining or execution of the Contract or any other Contract with the Government for showing or forbearing to show favour or disfavour to any person in relation to the Contract or any other Contract with the Government.

- 6.4 The Bidder will not collude with other parties interested in the contract to impair the transparency, fairness and progress of the bidding process, bid evaluation, contracting and implementation of the contract.
- 6.5 The Bidder will not accept any advantage in exchange for any corrupt practice, unfair means and illegal activities.
- 6.6 The Bidder further confirms and declares to the PURCHASER that the Bidder is the original manufacturer/integrator/ valid consortium and has not engaged any individual or firm or company whether Indian or foreign to intercede, facilitate or in any way to recommend to the PURCHASER or any of its functionaries, whether officially or unofficially to the award of the contract to the Bidder, nor has any amount been paid, promised or intended to be paid to any such individual, firm or company in respect of any such intercession, facilitation or recommendation.
- 6.7 The Bidder, either while presenting the bid or during pre-contract negotiations or before signing the contract, shall disclose any payments he has made, is committed to or intends to make to officials of the PURCHASER or their family members, agents, brokers or any other intermediaries in connection with the contract and the details of services agreed upon for such payments.
- 6.8 The Bidder shall not use improperly, for purposes of competition or personal gain, or pass on to others, any information provided by the PURCHASER as part of the business relationship, regarding plans, technical proposals and business details, including information contained in any electronic data carrier. The Bidder also undertakes to exercise due and adequate care lest any such information is divulged.
- 6.9 The Bidder commits to refrain from giving any complaint directly or through any other manner without supporting it with full and verifiable facts.
- 6.10 The Bidder shall not instigate or cause to instigate any third person to commit any of the actions mentioned above.

7. Previous Transgression



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7.1 The Bidder declares that no previous transgression occurred in the last three years immediately before signing of this Integrity Pact, with any other company in any country in respect of any corrupt practices envisaged hereunder or with any Public Sector Enterprise in India or any Government Department in India, that could justify bidder's exclusion from the tender process.

7.2 If the Bidder makes incorrect statement on this subject, Bidder can be disqualified from the tender process or the contract, if already awarded, can be terminated for such reason.

8. Security Deposit

8.1 In the case of successful bidder a clause would also be incorporated in the Article pertaining to Security deposit in the Purchase Contract that the provisions of Sanctions for Violation shall be applicable for forfeiture of Security deposit in case of a decision by the PURCHASER to forfeit the same without assigning any reason for imposing sanction for violation of this pact.

8.2 The provisions regarding Sanctions for Violation in Integrity Pact include forfeiture of Security deposit in case of a decision by the PURCHASER to forfeit the same without assigning any reason for imposing sanction for violation of Integrity Pact.

8.3 No interest shall be payable by the PURCHASER to the Bidder(s) on Security Deposit for the period of its currency.

9. Company Code of Conduct

9.1 Bidders are also advised to have a company code of conduct (clearly rejecting the use of bribes and other unethical behaviour) and a compliance program for the implementation of the code of conduct throughout the company.

10. Sanctions for Violation

10.1 Any breach of the aforesaid provisions by the Bidder or any one employed by him or acting on his behalf (whether with or without the knowledge of the Bidder) or the commission of any offence by the Bidder or any one employed by him or acting on his behalf, as defined in Chapter IX of the Indian Penal Code, 1860 or the Prevention of Corruption Act 1988 or any other act enacted for the prevention of corruption shall entitle the PURCHASER to take all or any one of the following actions, wherever required:-



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- (i) To immediately call off the pre-contract negotiations without assigning any reason or giving any compensation to the Bidder. However, the proceedings with the other Bidder(s) would continue.
- (ii) The Earnest Money/Performance Bond shall stand forfeited either fully or partially, as decided by the PURCHASER and the PURCHASER shall not be required to assign any reason therefore.
- (iii) To immediately cancel the contract, if already signed, without giving any compensation to the Bidder.
- (iv) To recover all sums already paid by the PURCHASER, and in case of an Indian Bidder with interest thereon at 2% higher than the prevailing Prime Lending Rate, while in case of a Bidder from a country other than India with interest thereon at 2% higher than the LIBOR. If any outstanding payment is due to the Bidder from the PURCHASER in connection with any other contract, such outstanding payment could also be utilized to recover the aforesaid sum and interest.
- (v) To encash the advance bank guarantee and performance bond/warranty bond, if furnished by the Bidder, in order to recover the payments, already made by the PURCHASER, along with interest.
- (vi) To cancel all or any other Contracts with the Bidder.
- (vii) To debar the Bidder from entering into any bid from the Government of India for a minimum period of five years, which may be further extended at the discretion of the PURCHASER.
- (viii) To recover all sums paid in violation of this Pact by Bidder(s) to any middleman or agent or broker with a view to securing the contract.
- (ix) If the Bidder or any employee of the Bidder or any person acting on behalf of the Bidder, either directly or indirectly, is closely related to any of the officers of the PURCHASER, or alternatively, if any close relative of an officer of the PURCHASER has financial interest/stake in the Bidder's firm, the same shall be disclosed by the Bidder at the time of filing of tender. Any failure to disclose the interest involved shall entitle the PURCHASER to rescind the contract without payment of any compensation to the Bidder. The term 'close relative' for this purpose would mean spouse whether residing with the Government servant or not, but not include a spouse separated from the Government servant by a decree or order of a competent court; son or daughter or step son or step daughter and wholly dependent upon Government servant, but does not include a child or step child who is no longer in any way dependent upon the Government servant or of whose custody the Government servant has been deprived of by or under any law; any other person related, whether by blood or marriage, to the Government



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servant or to the Government servant's wife or husband and wholly dependent upon Government servant.

(x) The Bidder shall not lend to or borrow any money from or enter into any monetary dealings or transactions, directly or indirectly, with any employee of the PURCHASER, and if he does so, the PURCHASER shall be entitled forthwith to rescind the contract and all other contracts with the Bidder. The Bidder shall be liable to pay compensation for any loss or damage to the PURCHASER resulting from such rescission and the PURCHASER shall be entitled to deduct the amount so payable from the money(s) due to the Bidder.

10.2 The decision of the PURCHASER to the effect that a breach of the provisions of this Integrity Pact has been committed by the Bidder shall be final and binding on the Bidder, however, the Bidder can approach the monitor(s) appointed for the purposes of this Pact.

11. Examination of Books of Accounts

In case of any allegation of violation of any provisions of this Integrity Pact or payment of commission, the PURCHASER or its agencies shall be entitled to examine the Books of Accounts of the Bidder and the Bidder shall provide necessary information of the relevant financial documents in English and shall extend all possible help for the purpose of such examination.

12. Law and Place of Jurisdiction

This Pact is subject to Indian Law. The place of performance and jurisdiction is the seat of the PURCHASER i.e. Ahmedabad (Gujarat).

13. Other Legal Actions

The actions stipulated in this Integrity Pact are without prejudice to any other legal action that may follow in accordance with the provisions of the extant law in force relating to any civil or criminal proceedings.

14. Validity

14.1 The validity of this Integrity Pact shall be from date of its signing and extend up to 6 years or the complete execution of the contract to the satisfaction of both the PURCHASER and the Bidder/Seller, whichever is later.

14.2 Should one or several provisions of this Pact turn out to be invalid; the remainder of this Pact remains valid. In this case, the parties will strive to come to an agreement to their original intentions.



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15. The Parties hereby sign this Integrity Pact at _____ on

PURCHASER

BIDDER

Witness

Witness

1. _____

1. _____

2. _____

2. _____



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4.8 Annexure A8: Eligibility Declaration (On company letter head) (Along with supporting documents, if any)

Tender No:

Tender Title:

Bidder's Name: _____ (Address and contact details)

Bidder's Offer No. _____ Date: _____

Restrictions on procurement from Bidders from a country or countries, or class of countries under Rule 144(xi) of the General Financial Rules 2017.

"We have read the clause regarding restrictions on procurement from a bidder of a country which shares a land border with India and on sub-contracting to contractors from such countries, and solemnly certify that we fulfil all requirements in this regard and are eligible to be considered. We certify that:

- (a) *we are not from such a country or, if from such a country, we are registered with the Competent Authority (copy enclosed). and;*
- (b) *we shall not subcontract any work to a contractor from such countries unless such contractor is registered with the Competent Authority.*

Penalties for false or misleading declarations:

We hereby confirm that the particulars given above are factually correct and nothing is concealed and also undertake to advise any further changes to the above details. We understood that any wrong or misleading self-declaration by us would be violation of Code of integrity and would attract penalties as mentioned in this tender document, including debarment.

(Signature with date)

(Name and designation) Duly authorized to sign Bid for and on behalf of

(Name & address of the Bidder and Seal of Company)



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4.9 Annexure A9: Self-Certification under preference to Make in India order Certificate (Applicable for Class I local suppliers and Class II local suppliers only)

In line with Government Public Procurement Order No. P-45021/2/2017-PP (BE-II) dated 04.06.2020 and its amendments, we hereby certify that we M/s _____ are local supplier meeting the requirement of minimum local content i.e., _____.% as defined in above orders for the items against ITER-India Enquiry/Tender No.....dated..... Details of location at which local value addition will be made as follows:

We also understand, false declarations will be in breach of the code of integrity under rule 175(1)(i)(h) of the General Financial Rules for which a bidder or its successors can be debarred for up to two years as per Rule 151(iii) of the General Financial Rules along with such other actions as may be permissible under law.

Thanking You

(Signature with date)

(Name and designation) Duly authorized to sign Bid for and on behalf of

(Name & address of the Bidder and Seal of Company)